

REMARKS

This Amendment being is filed in response to the final Office Action dated August 25, 2005. For the following reasons, this application should be allowed and the application passed to issue. No new matter is introduced by this amendment. Support for the amendment to claims 10, 16, and 17 is found throughout the specification including page 5, line 32 to page 6, line 10; and page 6, lines 26-34. Claims 11-15 are amended to maintain consistency with independent claim 10.

Claims 10-17 are pending in this application. Claims 10-17 have been rejected. Claims 10-17 have been amended.

Claim Rejections Under 35 U.S.C. § 102

Claims 10-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Mikio (JP 11-351901). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. The following is a comparison between the present invention as claimed and the cited prior art.

An aspect of the present invention, per claim 10, is a speech recognition updatable system applied to a vehicle comprising a speech collecting device collecting a set of words spoken by a driver. A storing section preliminarily stores a set of recognition words used for speech recognition and a set of operation patterns, associated with the recognition words, of a vehicle device. A searching section searches a recognition word, which has the highest matching degree with a spoken word, from the set of recognition words. A mode setting section sets a registration mode for registering a new recognition word and a new operation pattern corresponding to the new recognition word. A communication unit communicates with a base station. An input device inputs various information for communicating with the base station via the communication unit. An operation setting section sets a new operation pattern to a new

recognition word under the registration mode, based on information obtained in communication with the base station. A registering section registers the new recognition word and the new operation pattern set by the operation setting section in the storing section. A control section controls the vehicle device, based on the operation pattern corresponding to a recognition word searched by the searching section. The operation setting section serves to replace a recognition word stored preliminarily in the storing section with a spoken word as a new recognition word under the registration mode so as to register newly an operation pattern corresponding to the replaced spoken word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and an operation pattern set newly by the driver.

Another aspect of the invention, per claim 16, is a speech recognition updatable system comprising means for collecting a set of words spoken by a driver; means for storing preliminarily a set of recognition words used for speech recognition and a set of operation patterns, associated with the recognition words, of a vehicle device; and means for searching a recognition word, which has the highest matching degree with a spoken word, from the set of recognition words. The system further comprises means for setting a registration mode for registering a new recognition word and a new operation pattern corresponding to the new recognition word; means for communicating with a base station; means for inputting various information for communicating with the base station via the communicating means; means for setting a new operation pattern to a new recognition word under the registration mode, based on information obtained in communication with the base station; means for registering the new recognition word and the new operation pattern set by the operation setting means in the storing means; and means for controlling the vehicle device, based on an operation corresponding to a recognition word searched by the searching means. The operation setting means serves to

replace a recognition word stored preliminarily in the storing means with spoken word as a new recognition word under the registration mode so as to register newly an operation pattern corresponding to the replaced spoken word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and an operation pattern set newly by the driver.

Another aspect of the invention, per claim 17, is a method for operating a speech recognition updatable system applied to a vehicle comprising collecting a set of words spoken by a driver; storing preliminarily a set of recognition words used for speech recognition and a set of operation patterns, associated with the recognition words, of a vehicle device; and searching a recognition word, which has the highest matching degree with a spoken word, from the set of recognition words. A registration mode for registering a new recognition word and a new operation pattern corresponding to the new recognition word is set, and a base station is communicated with. Various information is inputted for communicating with the base station. A new operation pattern to a new recognition word is used for the registration mode, based on information obtained in the communicating step. The new recognition word and the new operation pattern corresponding to a new recognition word set in the setting step is registered. The vehicle device is controlled based on an operation patterns corresponding to a recognition word searched in the searching step. In the operation setting a recognition word stored preliminarily in the storing means is replaced with a spoken word as a new recognition word under the registration mode so as to register newly an operation pattern corresponding to the replaced spoken word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and a operation pattern set newly by the driver.

The Examiner asserted that Mikio discloses a speech collecting device collecting a set of words spoken by a driver comprising an operation setting (activity setting) section setting an operation pattern to a new recognition word on the basis of information obtained by communication with the base station under the registration mode and a searching section that serves to search for new recognition words stored in the storing section under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing section. The Examiner further asserted that Mikio discloses means for setting an operation pattern to a new recognition word on the basis of information obtained by communication with the base station under the registration mode and a searching means that serves to search for the new recognition word stored in the storing means under the registration mode with higher priority than the set of recognition words stored preliminarily in the storing means. Furthermore, the Examiner asserted that Mikio discloses setting an operational pattern to a new registration word on the basis of inputted information in the communication step and searching the new recognition word registered in the registration step under the registration mode searched with higher priority than the set of recognition words stored in the storing step.

The present invention provides a speech recognition system for controlling a vehicle device by the driver's spoken words. Mikio, on the other hand, is directed to a control device for controlling a vehicle device using several types of information including: personal information of the driver, environmental information around the vehicle, information from inside and outside the vehicle, driver demands, as well as the driver's spoken words.

Mikio, however, does not disclose the claimed speech recognition updateable system and method for operating a speech recognition updateable system because Mikio does not disclose an operation setting section and means for operation setting which serve to replace a recognition

word stored preliminarily in the storing section with a spoken word as a new recognition word under the registration mode so as to register newly an operation pattern corresponding to the replaced spoken word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and an operation pattern set newly by the driver, as required by claims 10 and 16. Further, Mikio does not disclose the method for operating a speech recognition updatable system applied to a vehicle wherein in the operation setting a recognition word stored preliminarily in the storing means is replaced with a spoken word as a new recognition word under the registration mode so as to register newly an operation pattern corresponding to the replaced spoken word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and a operation pattern set newly by the driver, as required by claim 17.

The factual determination of lack of novelty under 35 U.S.C. § 102 requires the disclosure in a single reference of each element of a claimed invention. *Helifix Ltd. v. Blok-Lok Ltd.*, 208 F.3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994); *Hoover Group, Inc. v. Custom Metalcraft, Inc.*, 66 F.3d 399, 36 USPQ2d 1101 (Fed. Cir. 1995); *Minnesota Mining & Manufacturing Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992); *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). Because Mikio does not disclose an operation setting section and means for operation setting which serve to replace a recognition word stored preliminarily in the storing section with a spoken word as a new recognition word under the registration mode so as to register newly an operation pattern corresponding to the replaced spoken word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing

section and an operation pattern set newly by the driver, as required by claims 10 and 16; and does not disclose the method for operating a speech recognition updatable system applied to a vehicle wherein in the operation setting a recognition word stored preliminarily in the storing means is replaced with a spoken word as a new recognition word under the registration mode so as to register newly an operation pattern corresponding to the replaced spoken word, and the newly registered operation pattern is one of an operation pattern stored preliminarily in the storing section and a operation pattern set newly by the driver, as required by claim 17; Mikio does not anticipate claims 1, 16, and 17.

Applicants further submit that Mikio does not suggest the speech recognition updateable system of claims 1 and 16, and the method for operating a speech updateable system of claim 17.

The dependent claims are allowable for at least the same reasons as independent claim 10 and further distinguish the claimed speech recognition updatable system.

In light of the above Remarks, this application should be allowed and the case passed to issue. If there are any questions regarding these remarks or the application in general, a telephone call to the undersigned would be appreciated to expedite prosecution of the application.

Application No.: 09/973,038

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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